

REMARKS

Claims 8-10 and 18-22 were in prosecution. Claims 9-10 and 18-22 have been cancelled by the above amendment. Claim 8 was amended by the amendment.

In the office action many of the claims were rejected under 35 U.S.C. §102(b) as having been anticipated by Bok et al. The Examiner pointed out that luteolin was actually named in that reference and meets the requirements of Claim 1 of that reference. In terms of Claim 1 Applicant traverses the rejection and renews his argument based on the inherent variability of flavonoids (please see earlier office actions). Claim 1 contains two different prongs; the first prong calls for a treatment with hesperetin, naringenin or mixture thereof; the second prong is an alternative and is based on a bioflavonoid of the pictured structure (the typical structure for any of a myriad of flavonoids) followed by a complex list of substituents for each R group of the structure. This list specifies literally thousands of possible flavonoids. If luteolin is rendered not novel, it is because of being specifically listed in Table II and not because of meeting the structural requirements of Claim 1 because the claim also comprises a huge list of non-effective flavonoids.

The claim has been amended to refer only to myricetin which is not named by the Bok reference. Because the specific teaching of Bok does not reach myricetin although it does mention a myriad of other flavonoids, Applicant believes the reference cannot be used as an obviousness reference against this compound.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner still finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (310) 734-5200 to discuss the steps necessary for placing the application in condition for allowance. You are hereby authorized to charge any fees due and refund any surplus fees to our Deposit Account No. 50-2567.

Respectfully submitted,

REED SMITH LLP

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